



SANIJET CORPORATION,
Plaintiff,

V.

**BEAUTY MALL, LTD.,et al.,
Defendants.**

No. 3-06-CV-135-F

**ORDER ADOPTING IN PART AND MODIFYING IN PART MAGISTRATE
JUDGE'S FINDINGS, CONCLUSIONS, AND RECOMMENDATION**

BEFORE THE COURT are Magistrate Judge William F. Sanderson, Jr.'s Findings, Conclusions, and Recommendation (Docket No. 131), filed August 13, 2008, Defendant Beauty Mall's Objections (Docket No. 132), filed August 28, 2008, Plaintiff's Response to Defendant's Objections (Docket No. 133), filed September 12, 2008, and Defendant's Reply to Plaintiff's Response (Docket No. 135), filed September 29, 2008. The parties appeared before the Court for a hearing on this matter on February 11, 2009. Upon consideration of the parties' briefings, the facts, and the applicable law, the Court is of the opinion that the Magistrate Judge's Findings, Conclusions, and Recommendation (Docket No. 131) should be ADOPTED IN PART AND MODIFIED IN PART.

The Court appreciates Magistrate Judge Sanderson’s work in this difficult case. However, the Court declines to adopt the Magistrate’s Recommendation for the construction of the claim terms “jet casing” and “by hand” because these terms should be given their ordinary meaning. Also, the Court accepts the parties’ stipulation for the construction of the

terms “hand manipulatable means for retaining” and “hand manipulatable means for securing.” The Court adopts the Magistrate’s Recommendation for the construction of all other claim terms. Therefore, the Court ORDERS that the Magistrate Judge’s Findings, Conclusions, and Recommendation (Docket No. 131) is ADOPTED IN PART AND MODIFIED IN PART.

Signed this 13th day of February, 2009.



ROYAL FURGESON
UNITED STATES DISTRICT JUDGE